

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-4539

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

DAMIEN GARCIA-NUNEZ, a/k/a Damian Garcia-
Nunez,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. Frank W. Bullock, Jr.,
Senior District Judge. (CR-04-353)

Submitted: March 31, 2006

Decided: April 17, 2006

Before WILKINSON and MOTZ, Circuit Judges, and HAMILTON, Senior
Circuit Judge.

Affirmed by unpublished per curiam opinion.

Louis C. Allen, III, Federal Public Defender; John A. Dusenbury,
Jr., Assistant Federal Public Defender, Greensboro, North Carolina,
for Appellant. Anna Mills Wagoner, United States Attorney, Angela
Hewlett Miller, OFFICE OF THE UNITED STATES ATTORNEY Greensboro,
North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Damien Garcia-Nunez pled guilty pursuant to a plea agreement to one count of illegal reentry by a deported felon, in violation of 8 U.S.C. § 1326(a), (b)(2) (2000). He was sentenced to thirty-three months in prison. Garcia-Nunez now appeals. His attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), stating that, in his opinion, there are no meritorious issues for appeal. Garcia-Nunez was advised of his right to file a pro se supplemental brief, but has not filed such a brief.

In accordance with Anders, we have thoroughly reviewed the entire record and found no meritorious issues for appeal. We therefore affirm. This court requires that counsel inform his client, in writing, of his right to petition the Supreme Court of the United States for further review. If the client requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED